

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
WINCHESTER DIVISION**

DIVERSE MEDICAL MANAGEMENT, INC., ET AL.,)	
Plaintiffs,)	
v.)	
 PLATINUM GROUP USA, INC, ET AL.,)	
Defendants.)	
)	Case No: 19-CV-00046
 PLATINUM GROUP USA, INC., ET AL.,)	
Counterclaim Plaintiffs,)	
v.)	
 DIVERSE MEDICAL MANAGEMENT, INC., ET AL.,)	
Counterclaim Defendants.)	

**JOINT MOTION TO SET ASIDE THE ENTRY OF DEFAULT AND EXTEND
DEADLINE TO FILE RESPONSIVE PLEADINGS**

Come now, Plaintiffs Diverse Medical Management, Inc. and Azzam Medical Services, LLC (together, “Plaintiffs”), and Defendants, Americore Health, LLC (“Americore”) and Grant White (“White”) (together, “Defendants”), by and through their respective counsel, and hereby file this Joint Motion to Set Aside Entry of Default and Extend Deadline to File Responsive Pleadings (the “Joint Motion to Set Aside”). In support of this Joint Motion to Set Aside, the Parties state as follows:

1. Defendant Americore was served with the Amended Complaint (Docket No. 8) and Summons in this matter on July 25, 2019 (Docket No. 11). However, White

was not served at that time. On September 10, 2019, the Court's Clerk entered an Entry of Default as to Americore (Docket No. 33) for failure to answer or otherwise plead in response to the Amended Complaint.

2. Defendants have recently retained counsel to represent them in this matter. Upon retention, Defendants' counsel immediately contacted Plaintiffs' counsel to discuss the matter. Following those discussions, the Parties agreed to set aside the Entry of Default against Americore, and that counsel for White would accept service of the Amended Complaint and Summons on White's behalf. White was served on September 13, 2019 (Docket No. 35).
3. The Parties further agreed that the Defendants shall have an extension of time to move or otherwise plead in response to the Amended Complaint until twenty-one (21) days from entry of an Order.
4. The Parties therefore request that this Court enter an Order setting aside the Entry of Default against Americore, and extending the deadline for Americore and White to move or otherwise plead in response to the Amended Complaint until twenty-one (21) days from entry of an Order on this Joint Motion to Set Aside.

Respectfully submitted,

/s/Robert A. Peal _____

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Seen and Agreed,

/s/Aaron W. Marcus _____

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Application for Pro Hac Vice Pending

*COUNSEL FOR DEFENDANTS, AMERICORE
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CERTIFICATE OF SERVICE

On this, the 30th day of September, the undersigned certifies that he served a copy of the foregoing via the court's CM/ECF System, or by electronic mail, upon the following:

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